

SJ #15/C
3/12/03

PATENT

Attorney Docket No.: A-68556/RFT/SPL/469322-00004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Bernard, et al.

Serial No.: 09/770,770

Filed: January 25, 2001

For: *Simultaneous Screening and
Identification of Sequence Alterations from
Amplified Target*

Examiner: Tung, J..

Art Unit: 1637

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Date:

2/12/03

Signed:

SL

Steven Lendaris

RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This filing is in response to the Office Action mailed December 2, 2002. As this Response is being filed on or before March 2, 2003, it is believed that no fees are currently due. However, should the Commissioner determine otherwise, he is authorized to charge any fees or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. A-68556/RFT/SPL/469322-00004). Reconsideration of the claims in light of the remarks that follow is respectfully requested.

*OK to enter
3/12/03
SL*

REMARKS

Claims 1-16 are pending in the instant application. Applicants take note of the Examiners' withdrawal of the previous rejection under 35 U.S.C. § 112, second paragraph set forth in section 5 of the Office Action mailed 8/14/2002. Claims 1-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guo et al., (Nature Biotechnology, 1997 (15) 331-335) in view of Southern et al. (U.S. Patent No. 6,054,270).